

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CBV, INC.,

Plaintiff,

v.

CHANBOND, LLC, DEIRDRE LEANE,
and IPNAV, LLC,

Defendants.

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C.A. No. 1:21-cv-01456-MN

**PUBLIC VERSION FILED
ON APRIL 8, 2022**

DECLARATION OF AKIVA M. COHEN

1. I am a Partner at Kamerman, Uncyk, Soniker, & Klein, P.C., attorneys for Deirdre Leane and IPNAV, LLC (“Leane Defendants”) and submit this declaration in support of the Leane Defendants’ Opposition to Plaintiff’s Motion for a Preliminary Injunction. I have personal knowledge of the facts submitted herein, and could and would testify competently to them if called to do so.

2. In addition to representing Leane Defendants in this action, I was (and am) lead counsel for Leane Defendants in their arbitration against Defendant ChanBond, LLC (“ChanBond”) and non-party UnifiedOnline, Inc. (“Unified” and, collectively with ChanBond, “Respondents”). At no point during the arbitration were we ever asked to allow Plaintiff CBV, Inc. (“CBV”) to participate.

3. Despite that, the three inventors, who I understand are the major shareholders in CBV (including its CEO, Earl Hennenhoefler), each submitted declarations in support of ChanBond’s position in opposing Leane Defendants’ application for an injunction in aid of arbitration at the outset of the litigation between Leane Defendants and Respondents. In addition, Mr. Hennenhoefler provided extensive testimony at deposition in that arbitration (the “Arbitration”),

and video from that deposition was used as hearing testimony by both Leane Defendants and Respondents.

4. Annexed hereto as Exhibit 1 is a true and correct copy of the Patent Purchase Agreement between ChanBond and CBV, including all the attachments thereto.

5. Annexed hereto as Exhibit 2 is a true and correct copy of relevant pages from the transcript of Mr. Hennenhoefer's deposition.

6. Annexed hereto as Exhibit 3 is a true and correct copy of a June 14, 2015 email from Deirdre Leane to, among others, Patrick Keane.

7. Annexed hereto as Exhibit 4 is a true and correct copy of a June 18, 2015 email from Deirdre Leane to, among others, Earl Hennenhoefer and Bob Stine.

8. Annexed hereto as Exhibit 5 is a true and correct copy of Unified's November 2015 10-Q, along with Exhibit 10.2 thereto.

9. Annexed hereto as Exhibit 6 is a true and correct copy of Leane Defendants' Second Amended Arbitration Demand.

10. Annexed hereto as Exhibit 7 is a true and correct copy of the interim award issued in the Arbitration.

11. Annexed hereto as Exhibit 8 is a true and correct copy of the "Receipt, Release, and Consent to Distribute" between CBV and ChanBond.


Akiva M. Cohen

March 29, 2022